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CATALINA YACHTS, INC., a
California corporation,

Plaintiff,

v.

SHARON DAY, an individual;
GERARD DOUGLAS, an individual;
and DOES 1 through 10, inclusive,

Defendant.

AND RELATED COUNTERCLAIMS

Case No. 2:25-cv-04090-SVW-RAO

Assigned to The Hon. Stephen V.
Wilson

**[PROPOSED] ORDER GRANTING
COUNTER-DEFENDANTS
CATALINA YACHTS, INC.'S,
RUSSELL LANE BERNEY'S, AND
JEAN C. BUTLER'S NOTICE OF
MOTION AND MOTION TO
DISMISS GERARD DOUGLAS'
COUNTERCLAIM AND COUNT
FOUR OF SHARON DAY'S
COUNTERCLAIM**

*[Filed concurrently with Notice of
Motion and Motion to Dismiss; and
Declaration of Jacqueline McGuinness]*

Date: October 20, 2025
Time: 1:30 p.m.
Dept.: 10A

Action Filed: May 7, 2025
Trial Date: None Set

[PROPOSED] ORDER

The Court, having read and considered Plaintiff Catalina Yachts, Inc.’s Motion to Dismiss Gerard Douglas’ First Amended Counterclaim (“FACC”) and Sharon Day’s Counterclaim pursuant to Rule 12(b)(6), the evidence in support thereof, and having reviewed the pleadings and papers on file herein and the argument of counsel, and good cause appearing therefore:

IT IS HEREBY ORDERED THAT:

1. Counterclaimant Gerard Douglas’ FACC is DISMISSED WITH PREJUDICE.

- OR IN THE ALTERNATIVE -

1. Counts One, Five, Six, Eight, Ten, and Eleven of Gerard Douglas’ FACC are DISMISSED WITH PREJUDICE.

2. Counterclaimant Sharon Day’s Fraudulent Transfer of Assets Counterclaim (Count Four) is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

DATED: _____, 2025

Hon. Stephen V. Wilson
UNITED STATES DISTRICT JUDGE